



CITY COUNCIL MINUTES SPECIAL HYBRID MEETING July 5, 2023

EXECUTIVE SESSION

At 5:01 pm, Mayor Nice convened an Executive Session via Microsoft Teams. The Executive Session was to discuss with legal counsel (1) to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price pursuant to RCW 42.30.110(1)(b), (2) to discuss with legal counsel litigation or potential litigation pursuant to RCW 42.30.110(1)(i), and (3) for planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress pursuant to RCW 42.30.140(4)(b).

Mayor Salim Nice, Deputy Mayor David Rosenbaum and Councilmembers Lisa Anderl, Jake Jacobson, Craig Reynolds, Wendy Weiker and Ted Weinberg participated via Microsoft Teams.

Mayor Nice adjourned the Executive Session at 6:51 pm.

CALL TO ORDER & ROLL CALL

Mayor Salim Nice called the Special Hybrid Meeting to order at 7:01 pm from a remote location.

Mayor Salim Nice, Deputy Mayor David Rosenbaum and Councilmember Lisa Anderl, Jake Jacobson, Craig Reynolds, Wendy Weiker, and Ted Weinberg participated remotely using Zoom.

PLEDGE OF ALLEGIANCE

The City Council delivered the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Rosenbaum; seconded by Jacobson to:

Approve the agenda.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

APPEARANCES

Addie Smith spoke about being a hate crime survivor.

Dan Winder (Mercer Island) spoke in opposition of the regional fire services proposal.

Catherine Winder (Mercer Island) spoke in opposition of the regional fire services proposal.

Meridith Tall (Mercer Island) spoke in opposition of the regional fire services proposal.

STUDY SESSION

AB 6290: Comprehensive Plan Periodic Update – Supplemental Scope / Schedule

CPD Director Jeff Thomas introduced the supplemental scope of work to the periodic update to the

Comprehensive Plan.

Senior Planner Adam Zack presented an overview of the statewide legislation that has driven the need for the supplemental scope of work, discussed the guidance that has been received from the Department of Commerce, and reviewed the timeline for the Comprehensive Plan Periodic update including the supplemental scope of work.

CPD Director Jeff Thomas discussed next steps. Council asked questions and provided feedback to staff.

CITY MANAGER REPORT

City Manager Jessi Bon reported on the following items:

- **Council, Boards & Commission Meetings:** Provided an update on the City Hall Closure. Upcoming City Council meeting on July 18. Reminder on recess in August for public meetings. Upcoming Parks & Recreation Commission Hybrid Meeting on July 6 and Utility Board Hybrid Meeting on July 11.
- **City Services Updates:** Update on 4th of July activity and response from the Fire Department and Police Department, Update on Summer Camps at MICEC, Road maintenance is being performed by the Right-of-Way team, Sunset & 77th Avenue Intersection Improvement project completion, Luther Burbank Park public art is seeking community input to develop unique icons and designs for the 12 bronze pieces that will be inlaid into the new pavement at Luther Burbank waterfront plaza, and Extended Library hours.
- **Upcoming Events:** MIVAL Jr. Art show at MICEC through August 18, Mostly Music in the Park kicks off on July 13, Summer Celebration on July 15, thank you Sponsors!
- **News:** Congrats to Councilmember Weiker for being re-elected to the Association of Washington Cities Board of Directors, 2023 Graduating CERT Class.

CONSENT AGENDA

AB 6292: June 16, 2023 Payroll Certification

Recommended Action: Approve the June 16, 2023 Payroll Certification in the amount of \$968,021.03 and authorize the Mayor to sign the certification on behalf of the entire City Council.

Certification of Claims:

- A. Check Register | 216153-216215 | 6/16/2023 | \$1,246,024.72**
- B. Check Register | 216216-216298 | 6/23/2023 | \$501,818.56**
- C. EFT Payments | May 2023 | \$3,579,376.11**

Recommended Action: Certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

Revised City Council Meeting Minutes of June 20, 2023 Special Hybrid Meeting

Recommended Action: Approve the revised minutes of the June 20, 2023 Special Hybrid Meeting.

AB 6293: Parks and Recreation Month Proclamation No. 312

Recommended Action: Approve Proclamation No. 312 proclaiming July 2023 as Parks and Recreation Month on Mercer Island.

AB 6295: Basin 40 Cured-In-Place-Pipe Sewer Lining Project Phase 2 Bid Award

Recommended Action: Award the Basin 40 Cured-In-Place-Pipe Sewer Lining Project Phase 2 to Insta-Pipe, Inc., in the amount of \$1,681,845, and authorize the City Manager to execute a contract with Insta-Pipe for the construction of the project.

AB 6296: 2022 Arterial and Residential Street Overlays Project Closeout

Recommended Action: Accept the completed 2022 Arterial and Residential Street Overlays project and authorize staff to close out the contract.

AB 6297: 2022 Street Related Utility Improvements Project Closeout

Recommended Action: Accept the completed 2022 Street Related Utility Improvements project and authorize staff to close out the contract.

It was moved by Jacobson; seconded by Reynolds to:

Approve the Consent Agenda and the recommended actions contained therein.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

REGULAR BUSINESS

AB 6291: Town Center Parking Study Draft Report & Early Actions Implementation Update

CIP Project Manager Sarah Bluvac presented impacts from the 2023 state legislative session, provided background on the Town Center Parking Study. She discussed the Town Center Parking Study draft report, early action implementation items, and next steps.

Council asked questions and provided feedback.

It was moved by Reynolds; seconded by Weiker to:

Resume the process to finalize and adopt the Town Center Parking Study Report by the end of 2023.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

AB 6307: Interlocal Agreement with Eastside Fire & Rescue for Regional Fire and Emergency Medical Services

City Manager Jessi Bon presented background information on the Regional Fire Services proposal, discussed the proposal review process with the City Council Ad-hoc Committee, and discussed the initial overview and discussion that led to City Council direction to begin negotiations with Eastside Fire & Rescue for regional fire services and to return to City Council with a recommendation. City Manager Bon discussed the current Fire and EMS services that are provided by the Fire Department, spoke about trend of regionalization of fire services throughout the region, discussed staffing and level of service with a contract for Eastside Fire & Rescue providing fire and EMS services, and spoke about mutual aid and regional coordination.

City Manager Bon presented her recommendation to contract with Eastside Fire & Rescue for fire and EMS services, discussed increased opportunities for Mercer Island Firefighters, and spoke about cost savings and efficiencies. City Manager Bon provided an overview of the Interlocal Agreement with Eastside Fire & Rescue and discussed next steps.

Council discussed the proposal.

It was moved by Weiker; seconded by Jacobson to:

Adopt Resolution No. 1645 approving the Interlocal Agreement with Eastside Fire & Rescue.

It was moved by Weinberg; seconded by Reynolds to:

Amend the first sentence in ILA section 3.3 to use the preposition “at” instead of the preposition “to.”

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Weinberg; seconded by Reynolds to:

Eliminate the last sentence of ILA section 6.2.

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Weinberg; seconded by Reynolds to:

Amend the second sentence of ILA section 3.9 to read:

“Further, the parties acknowledge that the Exhibits to this Agreement may be modified by the City Manager without further action by the Mercer Island City Council, provided the City Manager shall report all modifications to the City Council as soon as practicable following the modification, and provided further that no modifications shall be made without City Council pre-approval where the modification results in a decrease in staffing or a cost increase in excess of budget authority.”

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Jacobson; seconded by Anderl to:

Call the Question

FAILED: 4-3

FOR: 4 (Anderl, Jacobson, Nice, and Weiker)

AGAINST: 3 (Reynolds, Rosenbaum and Weinberg)

It was moved by Weinberg; seconded by Reynolds to:

Change the second sentence of ILA section 4.3.b.i from “Actual Personnel Costs shall include the fully burdened rate based on actual wages (including overtime) and benefits paid and accrued during the year” to “Actual Personnel Costs shall be equal to actual wages, overtime, and benefits paid or accrued during the year.”

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Weinberg; seconded by Reynolds to:

Add a new section to the ILA as follows:

“5.12. As part of taking ownership of all computer systems, Eastside shall fund, implement, and maintain all necessary information technology data system integrations resulting from this ILA.”

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Weinberg; seconded by Reynolds to:

Expand the term “City Manager” to read “Mercer Island City Manager” in ILA section 12.

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Weinberg; seconded by Reynolds to:

In the last sentence of ILA Exhibit B we expand “personal property” to “personal property of the Mercer Island Fire Department”.

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Weinberg; seconded by Reynolds to:

In the first sentence of ILA Exhibit C, expand “personal property” to “personal property of the Mercer Island Fire Department.”

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Weinberg; seconded by Reynolds to:

Change sentence 1.a of section 1 in Exhibit F of the ILA from: “Routine Maintenance refers to any maintenance task that is done on a planned and ongoing basis to identify and prevent problems before they result in a facility or equipment failure” to “Routine Maintenance refers to any maintenance task that is done on a planned and ongoing basis to identify and prevent problems before they result in a facility or equipment failure or negatively impacts to operations and the safety of Mercer Island residents.”

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Weinberg; seconded by Reynolds to:

Replace the word “will” in the first sentence with the word “shall”.

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

MAIN MOTION PASSED AS MADE:

PASSED: 5-2

FOR: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

AGAINST: (Reynolds and Weinberg)

OTHER BUSINESS

Planning Schedule

City Manager Jessi Bon spoke about the July 18 City Council Meeting and about the August recess.

Councilmember Absences and Reports

Councilmember Reynolds is looking forward to Summer Celebration.

Deputy Mayor Rosenbaum thanked staff for all of the work on Summer Celebration.

ADJOURNMENT

The Special Hybrid Council Meeting adjourned at 10:13 pm.

Attest:

Salim Nice, Mayor

Andrea Larson, City Clerk